

1516 NINTH STREET
SACRAMENTO, CA 95814-5112



In the Matter of:)
BLYTHE SOLAR PROJECT) **Docket No. 09-AFC-6C**
))
) **Order No. 11-0824-7**
))
PALO VERDE SOLAR I, LLC) **ORDER APPROVING a Petition to Modify**
) **the facility design and location of its**
) **transmission line**
))

Energy Commission staff reviewed the petition and finds that it complies with the requirements of Title 20, section 1769(a) of the California Code of Regulations and recommends approval of Palo Verde Solar I, LLC's petition to modify the Blythe Solar Power Project and amend related Conditions of Certification.

ENERGY COMMISSION FINDINGS

Based on staff's analysis, the Energy Commission concludes that the proposed changes will not result in any significant impact to public health and safety, or the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769(a) of the California Code of Regulations concerning post-certification project modifications;
- The modification will not change the findings in the Energy Commission's Final Decision pursuant to Title 20, section 1755;
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The proposed modifications to the Air Quality Conditions of Certification will result in a beneficial change by ensuring that the license reflects recent changes in the Authority to Construct; and,
- There has been a substantial change in circumstances since the Energy Commission certification justifying the change and the change is based on information that was not available to the parties prior to Energy Commission certification.

CONCLUSION AND ORDER

The California Energy Commission hereby adopts Staff's recommendations and approves the following changes to the Energy Commission Decision for the Blythe_Solar Power Project. New language is shown as **bold and underlined**, and deleted language is shown in ~~strikeout~~.

Ullage System Condition

EQUIPMENT DESCRIPTION:

Four - HTF ullage expansion tanks, Application Number: 0010750, 0010757, 0010764 and 0010771.

AQ-17 The project owner shall establish an inspection and maintenance program to determine, repair, and log leaks in HTF piping network and expansion tanks. Inspection and maintenance program and documentation shall be available to District staff upon request.

- a. All pumps, compressors and pressure relief devices (pressure relief valves or rupture disks) shall be electronically, audio, or visually inspected once every operating day.
- b. All accessible valves, fittings, pressure relief devices (PRDs), hatches, pumps, compressors, etc. shall be inspected quarterly using a leak detection device such as a Foxboro OVA 108 calibrated for methane.

- c. Inspection frequency for accessible components, except pumps, compressors and pressure relief valves, shall be increased to quarterly when more than two percent of the components within a component type are found to leak during any inspection for five consecutive quarters.
- d. Inspection frequency for accessible components, except pumps, compressors and pressure relief valves, shall be increased to quarterly when more than two percent of the components within a component type are found to leak during any inspection or report.
- e. If ~~any evidence of a potential~~ a leak **greater than 100 ppm above background** is found, the **leaking component** ~~indication of the potential leak shall be repaired, replaced or removed~~ **eliminated** within 7 calendar days of detection.

Verification: The inspection and maintenance plan shall be submitted to the CPM for review and approval at least 30 days before taking delivery of the HTF. As part of the Annual Compliance Report, the project owner shall provide the quantity of used HTF fluid removed from the system and the amount of new HTF fluid added to the system each year. The project owner shall make the site available for inspection of HTF piping Inspection and Maintenance Program records and HTF system equipment by representatives of the District, ARB, and the Energy Commission.

Non-Retail Gasoline Dispensing Facility Conditions

EQUIPMENT DESCRIPTION:

One – above ground gasoline storage tank and fuel receiving and dispensing equipment, Application Number: 0011391.

AQ-56 The project owner shall maintain a log of all inspections, repairs, and maintenance on equipment subject to Rule 461. Such logs or records shall be maintained at the facility for at least two (2) years and available to the District upon request. Records of Maintenance, Tests, Inspections, and Test Failures shall be maintained and available to District personnel upon request; record form shall be similar to the Maintenance Record form indicated in EO VR-401-AB, Figure 2N.

Verification: The project owner shall make the site available for inspection of equipment and fuel purchase records by representatives of the District, ARB, and the Energy Commission.

AQ-58 Pursuant to EO VR-401-AB, vapor vent pipes are to be equipped with Husky 5885 pressure relief valves or as otherwise allowed by EO.

Verification: The project owner shall make the site available for inspection of equipment and records by representatives of the District, ARB, and the Energy Commission.

AQ-59 The project owner shall perform the following tests within 60 days of construction completion and annually thereafter in accord with the following test procedures:

- a. Determination of Static Pressure Performance of Vapor Recovery Systems at Gasoline Dispensing Facilities with Aboveground Storage Tanks shall be conducted per EO VR-401–AB Exhibit 4;
- b. Phase I Adapters, Emergency Vents, Spill Container Drain Valve, Dedicated gauging port with drop tube and tank components, all connections, and fitting shall NOT have any detectable leaks; test methods shall be per EO VR-401–AB Table 2-1, and
- c. Liquid Removal Test (if applicable) per TP-201.6, and

Summary of Test Data shall be documented on a Form similar to EO VR-401-AB Form 1.

The District shall be notified a minimum of 10 days prior to performing the required tests with the final results submitted to the District within 30 days of completion of the tests.

The District shall receive passing test reports no later than six (6) weeks prior to the expiration date of this permit.

Verification: The project owner shall make the site available for inspection of equipment and the results for the tests required by this condition by representatives of the District, ARB, and the Energy Commission.

AQ-60 Pursuant to California Health and Safety Code sections 39600, 39601 and 41954, this aboveground tank shall be installed and maintained in accordance with Executive Order (EO) VR-401–AB for EVR Phase I, and Standing Loss requirements.

<http://www.arb.ca.gov/vapor/eos/eo-vr401/eo-vr401a/eo-401a.pdf>

Additionally, Phase II Vapor Recovery System shall be installed and maintained per G-70-116-F with the exception that hanging hardware shall be EVR Balance Phase II type hanging hardware (VST or other CARB Approved EVR Phase II Hardware).

Verification: The project owner shall make the site available for inspection of equipment and records by representatives of the District, ARB, and the Energy Commission.

AQ-61 Pursuant to EO VR-401—**AB**; Maintenance and repair of system components, including removal and installation of such components in the course of any required tests, shall be performed by OPW Certified Technicians.

Verification: The project owner shall make the site available for inspection of equipment and records by representatives of the District, ARB, and the Energy Commission.

AQ-62 Pursuant to EO VR-401—**AB**, Maintenance Intervals for OPW; Tank Gauge Components; Dust Caps Emergency Vents; Phase I Product and Vapor Adapters, and Spill Container Drain Valve, shall be conducted by an OPW trained technician annually.

Verification: The project owner shall make the site available for inspection of equipment and records by representatives of the District, ARB, and the Energy Commission.

AQ-64 The project owner shall; install, maintain, and operate EVR Phase I in compliance with CARB Executive Order VR-401—**AB**, and Phase II vapor recovery in accordance with G-70-116-F. In the event of conflict between these permit conditions and/or the referenced EO's the more stringent requirements shall govern.

Verification: The project owner shall make the site available for inspection of equipment and records by representatives of the District, ARB, and the Energy Commission.

DESERT TORTOISE COMPENSATORY MITIGATION

BIO-12 To fully mitigate for habitat loss and potential take of desert tortoise, the Project owner shall provide compensatory mitigation at a 1:1 ratio for impacts to ~~6,958~~ 6,957 acres, adjusted to reflect the final Project footprint....

SAND DUNE/FRINGE-TOED LIZARD MITIGATION

BIO-20 To mitigate for habitat loss and direct impacts to Mojave fringe-toed lizards the Project owner shall provide compensatory mitigation at a 3:1 ratio, which may include compensations lands purchased in fee or in easement in whole or in part, for impacts to stabilized or partially stabilized desert dune habitat (~~5850~~ acres or the acreage of sand dune/partially stabilized sand dune habitat impacted by the final Project footprint from the Project interconnection to the Colorado River Substation Southern Alternative). If compensation lands are acquired....

PROJECT CONSTRUCTION PHASING PLAN

BIO-28 The project Owner shall provide compensatory mitigation for the total Project Disturbance Area and may provide such mitigation in three phases, Phase

1a, Phase 1b, and Phase 2, as described in Palo Verde Solar 1, LLC's Proposed Phased Construction and Mitigation (Galati & Blek [tn:57593]. Palo Verde Solar 1, LLC's Proposed Phased Construction and Mitigation: Blythe Solar Power Project Docket No. (09-AFC-6), dated July 15, 2010.)....

For Interconnection to Colorado River Substation Southern Alternative:

Phase	Desert Tortoise		MFTL		WBO	
	Impact (acres)	Mitigation (acres)	Impact (acres)	Mitigation (acres)	Impact (individuals/pairs)	Mitigation(acres)
Phase 1a	769	769	0	0	0	0
Phase 1b	2,995 <u>2,994</u>	2,995 <u>2,994</u>	58 <u>50</u>	174 <u>151</u>	1	19.5
Phase 2	3,193	3,193	0	0	1	19.5
Total	6,958 <u>6,957</u>	6,958 <u>6,957</u>	58 <u>50</u>	174 <u>151</u>	2	39

Phase	Desert Tortoise		MFTL	
	Impact (acres)	Mitigation (acres)	Impact (acres)	Mitigation (acres)
Phase 1a	67	130	0	0
Phase 1b	234	409	36	51
Phase 2	294	665	146	189
Total	593	1,205	133	179

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretary to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on August 24, 2011.

AYE: Weisenmiller, Boyd, Douglas, Peterman

NAY: None

ABSENT: None

ABSTAIN: None


Harriet Kallemeyn
Secretariat